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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Geoffrey W. ABBOTT et al

Serial No. 09/550,163

Filed: 14 April 2000

For: minK-RELATED GENES, FORMATION )

OF POTASSIUM CHANNELS AND ASSOCIATION WITH CARDIAC

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BOX MISSING PARTS

Attention:

Applications Branch

#### RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated 28 June 2000, response copy attached, two (2) Declaration and Power of Attorney documents identifying the above-referenced application by Serial Number and Filing Date are herewith submitted. Also attached is our check in payment of the following fees:

> \$ 110.00 (surcharge under 37 C.F.R. 1.16(e)) 710.00 (basic filing fee)

3024.00 (additional claims fee)

\$3844.00 TOTAL FILING FEE

390.00 (2-month extension fee) including \$4234.00 TOTAL CHECK AMOUNT

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135. An additional copy of this letter is enclosed for that purpose.

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The following documents are being submitted concurrently under separate cover:

- A Request for an Extension of Time under 37 C.F.R. 1.136(a), with fee (included in above amount).
- Three (3) assignments (filed separately), with recordation cover sheets and checks for the requisite recordation fees.

Respectfully submitted,

Rν

Jeffrey L / Ihnen

Attorney for Applicants Registration No. 28,957

ROTHWELL, FIGG, ERNST & MANBECK, p.c. Suite 701-E, 555 13th Street, N.W.

Washington, D.C. 20004 Telephone: (202)783-6040

Dated: 26 October 2000

# FORMALITIES LETTER \*OC000000005206314\*



### UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/550,163

04/14/2000

Geoffrey W. Abbott

2323-150

Rothwell Figg Ernst & Kurtz Suite 701-East 555 13th Street N W Washington, DC 20004



Date Mailed: 06/28/2000

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2970.
  - \$864 for 48 total claims over 20.
  - \$2106 for 27 independent claims over 3.
- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3790.

A copy of this notice <u>MUST</u> be returned with the reply.

BU T-

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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6/27/00 2:07 PM



ATTN: BOX MISSING PARTS **Application Number** 09/550,163 Filing Date 14 April 2000 First Named Inventor Geoffrey W. ABBOTT et al. Group Art Unit **Examiner Name** 2323-150 Attorney Docket Number

Fee

**SUBTOTAL** 

\$ 500

Fee

## FEE TRANSM (Large Entity)oci 2 6 2000 (\$) 4,234 Total Amount of Payment

#### **METHOD OF PAYMENT (check one)**

1. [XX] The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

[XX] Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

[ ] Charge for the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. [XX] Payment Enclosed: Check

#### **FEE CALCULATION**

#### 1. FILING FEE

	1 00	1 00	
Fee Description	Code	Paid	
[X] Utility Filing Fee	101	710	
[ ] Design Filing Fee	106	320	
[ ] Plant Filing Fee	107	490	
[ ] Reissue Filing Fee	108	710	
[ ] Provisional Filing Fee	114	150	
• •			

**SUBTOTAL** 

Fee

Fee

\$710

2. CLAIMS			
	Fee from		
	Extra	below	Fee Paid
Total Claims Independent	68 - 20 =	48 x \$18	= 864
Claims	30 - 3 =	27 x \$80	= 2160
Multiple Dependent	Claims	+ 270	=

**SUBTOTAL** 

\$ 3,024

#### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

		ree	ree
	Fee Description	Code	Paid
[X]	Surcharge - late filing fee or oath	105	130
ĹĬ	Surcharge - late provisional filing fee or cover sheet	127	50
ĹĴ	Non-English specification	139	130
ΪÌ	For filing a request for reexamination	147	2,520
[]	Requesting publication of SIR prior to Examiner action	112	920
Ĺ	Requesting publication of SIR after Examiner action	113	1,840*
[]	Extension for reply within first month	115	110
[X]	Extension for reply within second month	116	390
[]	Extension for reply within third month	117	890
[]	Extension for reply within fourth month	118	1,390
[]	Extension for reply within fifth month	128	1,890
[]	Notice of Appeal	119	310
[]	Filing a brief in support of an appeal	120	310
[]	Request for Oral Hearing	121	270
[]	Petition to institute a public use proceeding	138	1,510
[]	Petition to revive -unavoidable	140	110
ĺ	Petition to revive - unintentional	141	1,240
[]	Utility issue fee (or reissue)	142	1,240
[]	Design issue fee	143	440
[]	Plant issue fee	144	600
[]	Petitions to the Commissioner	122	130
Ü	Petitons related to provisional applications	123	50
[]	Submission of Information Disclosure Statement	126	240
[]	Recording each patent assignment per property (times number of properties)	581	40
[]	Filing a submission after final rejection (37 CFR .129(a))	146	710
ij	For each additional invention to be examined	149	710
	(37 CFR 1.129(b))		
O.L			

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

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### **OK to Enter**

SUBMITTED BY			Complete (if applicable)		
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No.	28,95	7		
SIGNATURE	liffy Ithrus	DATE	26 OCTOBER 2000	DEPOSIT ACCT USER ID	02-2135